

**House Conservation & Environment Committee Amdt. 2 by Garrett**

**Amendment No. 2 to HB0110**

**Garrett  
Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 6\***

**House Bill No. 110**

by deleting in its entirety subdivision (b)(2) of the bill, as amended, and by substituting instead the following language:

(2) Prior to issuing a building permit to construct any proposed structure or facility or to alter any existing structure or facility located downstream from an existing dam, the local government, or appropriate agency thereof, shall inform the applicant that the proposed construction or alteration could potentially be affected by the failure of such dam and thus the hazard category of such dam may reclassified.

AND FURTHER AMEND by adding the following language as subdivision (3) to subsection (b) and renumbering the remaining subdivisions appropriately:

(3) The applicant shall inform the real property owner in accordance with section (b)(2) of this act as follows:

(A) If the applicant and the fee simple owner are one and the same person and the applicant is constructing a proposed structure or facility or altering any existing structure or facility for the purpose of sale, then the applicant shall provide the information mandated by this subsection to the initial purchaser of the real property;

(B) If the applicant is not the fee simple owner of the real property and has entered into a contract with the fee simple owner to construct a structure or facility or alter

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any existing structure or facility, then the applicant shall provide the information mandated by this subsection to the fee simple owner of such real property; provided that if the structure or facility is being constructed or altered for the purpose of sale or resale, then the fee simple owner shall provide the information mandated by this subsection to the initial purchaser of the real property.